

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET													
CR No: 23-33 KWR				USA vs.: DIEMER									
Date: 7/30/2024				Name of Deft: KEITH DIEMER									
Before the Honorable: Kea W. Riggs, U.S. District Judge													
Time In/Out:		9:02am-9:30am				Total Time in Court (for JS10):			27 minutes				
Clerk:		C. Bevel				Court Reporter:			A. Lynch				
AUSA:		Jon Stanford				Defendant's Counsel:			Aric Elsenheimer				
Sentencing in:		Albuquerque				Interpreter:			N/A				
Probation Officer:		Saira Bustillos-Quintana				Interpreter Sworn?			Yes		No		
Convicted on:		<input checked="" type="checkbox"/> Plea		<input type="checkbox"/> Verdict		As to:		<input type="checkbox"/> Information		<input checked="" type="checkbox"/> Indictment			
If Plea:		<input checked="" type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		Adjudged/Found Guilty on Counts:							
If Plea Agreement:		<input checked="" type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		<input type="checkbox"/> No Plea Agreement		Comments:					
Date of Plea/Verdict:		7/29/2024		PSR:		<input checked="" type="checkbox"/> X		<input type="checkbox"/> Not Disputed		<input type="checkbox"/> Disputed		<input checked="" type="checkbox"/> Courts adopts PSR Findings	
Evidentiary Hrg:		<input checked="" type="checkbox"/> X		<input type="checkbox"/> Not Needed		<input type="checkbox"/> Needed		Exceptions to PSR:					
SENTENCE IMPOSED				Imprisonment (BOP):									
Supervised Release:								Probation:		36 months			
REC		500-Hour Drug Program			BOP Sex Offender Program			Other:					
ICE		Court recommends ICE begin removal proceedings immediately or during service of sentence								ICE not applicable			
SPECIAL CONDITIONS OF SUPERVISION													
	No re-entry without legal authorization							Home confinement for months days					
	Comply with ICE laws and regulation					<input checked="" type="checkbox"/> X		Community service for 40 hours during supervised release.					
	Participate in/successfully complete subst abuse program/testing Testing shall not exceed more than 60 test(s) per year							Reside at residential re-entry center for a period of up to 180 days					
<input checked="" type="checkbox"/> X	Participate in/successfully complete mental health program To include psychological evaluation							Register as sex offender					
	Refrain from use/possession of alcohol/intoxicants Testing shall not exceed more than 4 per day							Participate in sex offender treatment program					
<input checked="" type="checkbox"/> X	Submit to search of person/property							Possess no sexual material					
<input checked="" type="checkbox"/> X	No contact with victim(s) and/or co-defendant(s)							No computer with access to online services					
	No entering or loitering near victim's residence							No contact with children under 18 years					
	Provide financial information							No volunteering where children supervised					
<input checked="" type="checkbox"/> X	Waive right of confidentiality and allow the treatment provider to release treatment records							Restricted from occupation with access to children					
	Must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances (e.g., synthetic marijuana, bath salts, etc.) that impair your physical or mental functioning, whether or not intended for human consumption.							No loitering within 100 feet of school yards					
	Must not possess, sell, offer for sale, transport, cause to be transported, cause to affect interstate commerce, import, or export any drug paraphernalia, as defined in 21 U.S.C. 863(d).							Must participate in an educational or vocational services program and follow the rules and regulations of that program					
<input checked="" type="checkbox"/> X	OTHER: You must not fly on any aircraft without prior approval from your supervising officer.												
Fine: \$		0				Restitution: \$		Held open for 60 days					
SPA: \$		100.00 (100 per count)				Payment Schedule:		<input checked="" type="checkbox"/> X		Due Immediately		Waived	
OTHER:													
	Advised of Right to Appeal			<input checked="" type="checkbox"/> X		Waived Appeal Rights per Plea Agreement							
<input checked="" type="checkbox"/> X	Deft on Cond of Release					Voluntary Surrender							
Recommended place(s) of incarceration:													

	Dismissed Counts:
OTHER COMMENTS:	<p>Court addresses counsel regarding concerns in accepting the agreement.</p> <p>AUSA Stanford responds.</p> <p>Mr. Elsenheimer responds.</p> <p>Court has no objection if supervision is transferred to the State of Indiana.</p>